Case 09-48077 Doc 1 Filed 12/19/09 Entered 12/19/09 11:59:24 Desc Main Document Page 1 of 13

B1 (Official Form 1)(1		United	States	Bankı	runtev	Court	90 1 0				
<u> </u>		No	rthern	District	of Illing	ois ——				Volu	untary Petition
Name of Debtor (if individual, enter Last, First, Middle): Smith, Curtis F							Name of Joint Debtor (Spouse) (Last, First, Middle): Miller, Sylvia				
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						(inclu	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): AKA Sylvia Miller-Smith				
Last four digits of Soc. (if more than one, state all	Sec. or Indi	ividual-Taxp	ayer I.D. (ITIN) No./	Complete E	(if mo	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) xxx-xx-3373				
Street Address of Debt 4744 Hill Trail Ro Lisle, IL	,		and State)	:	ZIP Code	Street 47 Lis	Street Address of Joint Debtor (No. and Street, City, and State): 4744 Hill Trail Rd, Apt 2A Lisle, IL ZIP Code				
County of Residence o	r of the Prin	cipal Place o	f Busines		60532	Coun	y of Reside	ence or of the	Principal Pl	ace of Busin	60532
Dupage							page				
Mailing Address of De	btor (if diffe	erent from str	eet addres	ss):		Maili	ng Address	of Joint Debt	or (if differe	ent from stree	et address):
				_	ZIP Code	:					ZIP Code
Location of Principal A (if different from street			r								
(Form of Organization) (Check one box) ☐ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. ☐ Corporation (includes LLC and LLP) ☐ Partnership. (C) ☐ Health Care ☐ Single Asse in 11 U.S.C ☐ Railroad ☐ Stockbroker ☐ Commodity			(Check lth Care Bugle Asset Ro 1 U.S.C. § road ckbroker	eal Estate as 101 (51B)		☐ Chapt☐	the later 7 ter 9 ter 11 ter 12	Petition is Fi ☐ C of ☐ C	iled (Check hapter 15 Pe f a Foreign M hapter 15 Pe	Inder Which one box) stition for Recognition Main Proceeding stition for Recognition Ronmain Proceeding	
Other (If debtor is not one of the above entities, check this box and state type of entity below.)				☐ Other Tax-Exempt Entity (Check box, if applicable) ☐ Debtor is a tax-exempt organizat under Title 26 of the United State Code (the Internal Revenue Code			defined	are primarily co d in 11 U.S.C. § red by an indivi onal, family, or	(Check consumer debts, § 101(8) as idual primarily	y for	☐ Debts are primarily business debts.
■ Full Filing Fee atta	_	ee (Check or	ne box)				one box:		Chapter 11		11 U.S.C. § 101(51D).
 □ Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. □ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. 					Check	Debtor is a if: Debtor's a to insider all applica A plan is Acceptance	not a small b aggregate nor s or affiliates) able boxes: being filed w ces of the pla	usiness debto neontingent l) are less that ith this petiti n were solici	or as defined liquidated de n \$2,190,000 ion.	I in 11 U.S.C. § 101(51D). Obts (excluding debts owed	
Statistical/Administra ■ Debtor estimates th □ Debtor estimates th there will be no fur	at funds will at, after any	l be available exempt prop	erty is ex	cluded and	administrat		es paid,		THIS	S SPACE IS F	OR COURT USE ONLY
Estimated Number of C 1- 50- 49 99	Creditors 100- 199	200- 999	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated Assets So to \$50,001 to \$50,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,000 to \$500 million	\$500,000,001 to \$1 billion				
Estimated Liabilities	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,000 to \$500 million	\$500,000,001 to \$1 billion				

Case 09-48077 Doc 1 Filed 12/19/09 Entered 12/19/09 11:59:24 Desc Main Document Page 2 of 13

Page 2 Name of Debtor(s): Voluntary Petition Smith, Curtis F (This page must be completed and filed in every case) Miller, Sylvia All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: Northern/Eastern 03 B 23053 5/27/03 Location Case Number: Date Filed: Where Filed: Northern/Eastern 03 B 07893 2/20/03 Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. X /s/ James A. Young **December 19, 2009** Signature of Attorney for Debtor(s) (Date) James A. Young 6217342 Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ■ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

B1 (Official Form 1)(1/08)

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

Smith, Curtis F Miller, Sylvia

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

▼ /s/ Curtis F Smith

Signature of Debtor Curtis F Smith

X /s/ Sylvia Miller

Signature of Joint Debtor Sylvia Miller

Telephone Number (If not represented by attorney)

December 19, 2009

Date

Signature of Attorney*

X /s/ James A. Young

Signature of Attorney for Debtor(s)

James A. Young 6217342

Printed Name of Attorney for Debtor(s)

James A. Young

Firm Name

James A. Young & Associates, Ltd. 47 DuPage Court Elgin, IL 60120

Address

(847) 608-9526 Fax: (847) 695-3494

Telephone Number

December 19, 2009

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of a Foreign Representative

Page 3

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

7	V
7	١

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Case 09-48077 Doc 1 Filed 12/19/09 Entered 12/19/09 11:59:24 Desc Main Document Page 4 of 13

B 1D (Official Form 1, Exhibit D) (12/09)

United States Bankruptcy Court Northern District of Illinois

In re	Curtis F Smith Sylvia Miller		Case No.	Case No.		
		Debtor(s)	Chapter	13		

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

Case 09-48077 Doc 1 Filed 12/19/09 Entered 12/19/09 11:59:24 Desc Main Document Page 5 of 13

Pag 1D (Official Form 1, Exhibit D) (12/09) - Cont.	ge 2				
☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable					
statement.] [Must be accompanied by a motion for determination by the court.]					
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or					
mental deficiency so as to be incapable of realizing and making rational decisions with respect to					
financial responsibilities.);					
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being					
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or					
through the Internet.);					
☐ Active military duty in a military combat zone.					
☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.					
equirement of 11 0.5.0. § 105(n) does not apply in this district.					
I certify under penalty of perjury that the information provided above is true and correct.					
Signature of Debtor: /s/ Curtis F Smith					
Curtis F Smith					
Date: December 19, 2009					

Case 09-48077 Doc 1 Filed 12/19/09 Entered 12/19/09 11:59:24 Desc Main Document Page 6 of 13

B 1D (Official Form 1, Exhibit D) (12/09)

United States Bankruptcy Court Northern District of Illinois

In re	Curtis F Smith Sylvia Miller		Case No.	
	•	Debtor(s)	Chapter	13

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] ____

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

Case 09-48077 Doc 1 Filed 12/19/09 Entered 12/19/09 11:59:24 Desc Main Document Page 7 of 13

B 1D (Official Form 1, Exhibit D) (12/09) - Cont.	Page 2				
☐ 4. I am not required to receive a credit cou	nseling briefing because of: [Check the applicable				
statement.] [Must be accompanied by a motion for a	- 11				
1	§ 109(h)(4) as impaired by reason of mental illness or				
± • • • • • • • • • • • • • • • • • • •	alizing and making rational decisions with respect to				
financial responsibilities.);	8				
<u> </u>	109(h)(4) as physically impaired to the extent of being				
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or					
through the Internet.);					
☐ Active military duty in a military c	ombat zone.				
☐ 5. The United States trustee or bankruptcy requirement of 11 U.S.C. § 109(h) does not apply in	administrator has determined that the credit counseling				
requirement of 11 0.5.c. § 105(n) does not appry in	uns district.				
I certify under penalty of perjury that the	information provided above is true and correct.				
Signature of Debtor:	/s/ Sylvia Miller				
Signature of 2 cover.	Sylvia Miller				
Date: December 19,	2009				

Allied Credit/Alliance One Attn: Bankruptcy Po Box 2449 Gig Harbor, WA 98335

Allied Credit/Alliance One Attn: Bankruptcy Po Box 2449 Gig Harbor, WA 98335

American Collections 919 Estes Ct Schaumburg, IL 60193

Arrow Financial Services 5996 W Touhy Ave Niles, IL 60714

Child Support Division 28 N Clark St Chicago, IL 60602

Citibank 701 East 60th Stre Sioux Falls, SD 57104

Citibank 701 East 60th Stre Sioux Falls, SD 57104

Citibank Stu 701 East 60th Stre Sioux Falls, SD 57104

Citibank Stu 701 East 60th Stre Sioux Falls, SD 57104

City of Chicago
The Department of Water Management
PO BOX 6330
Chicago, IL 60680-6330

comcast 1711 E Wilson St Batavia, IL 60510

ComEd PO Box 6111 Carol Stream, IL 60197-9474

Corporate Collection S 23220 Chagrin Beachwood, OH 44122

Crd Prt Asso One Galleria Tower Dallas, TX 75240

Credit Management 4200 International Pwy Carrolton, TX 75007

Credit Management 4200 International Pwy Carrolton, TX 75007

Dell Financial Services Attn: Bankruptcy Dept. 12234 North Ih 35 Austin, TX 78753

Dependon Collection Se Attn: Bankruptcy Po Box 4833 Oak Brook, IL 60523

Dpt Ed/slm
11100 Usa Pkwy
Fishers, IN 46037

Dpt Ed/slm
11100 Usa Pkwy
Fishers, IN 46037

Drive Financial Attn: Bankruptcy Department Po Box 562088 Dallas, TX 75247

Er Solutions Po Box 9004 Renton, WA 98057

First Revenue Assuranc 4500 Cherry Creek Dr Ste Denver, CO 80246

I C System
Po Box 64378
Saint Paul, MN 55164

I C System Inc Po Box 64378 Saint Paul, MN 55164

IHC-St Francis Emergency Physician PO BOX 3261 Milwaukee, WI 53201-3216

Il Designate 1755 Lake Cook Rd Deerfield, IL 60015

Il Designate
1755 Lake Cook Rd
Deerfield, IL 60015

Midland Credit Mgmt 8875 Aero Drive Suite 200 San Diego, CA 92123

Nationcoll 2015 Vaughn Rd Kennesaw, GA 30144

Nationwide Credit Inc 4700 Vestal Pkwy E Vestal, NY 13850-3770 Nelnet Lns Attention: Claims Po Box 17460 Denver, CO 80217

Nelnet Lns Attention: Claims Po Box 17460 Denver, CO 80217

Nelnet Lns Attention: Claims Po Box 17460 Denver, CO 80217

Nelnet Lns Attention: Claims Po Box 17460 Denver, CO 80217

Nelnet Lns Attention: Claims Po Box 17460 Denver, CO 80217

Nelnet Lns Attention: Claims Po Box 17460 Denver, CO 80217

Nw Collector 3601 Algonquin Rd Ste 23 Rolling Meadows, IL 60008

Oxford Collection Serv 135 Maxess Rd Ste 2a Melville, NY 11747

Palisad Coll Attention: Banktruptcy Department Po Box 100018 Kennesaw, GA 30156 Peoples Gas C/O Bankruptcy Department 130 E. Randolph Drive Chicago, IL 60602

Receivables Management Inc. (RMI) / Mortg Attn: Bankruptcy 3348 Ridge Rd Lansing, IL 60438

Sallie Mae 1002 Arthur Dr Lynn Haven, FL 32444

Sallie Mae 1002 Arthur Dr Lynn Haven, FL 32444

Sallie Mae 1002 Arthur Dr Lynn Haven, FL 32444

Sallie Mae 1002 Arthur Dr Lynn Haven, FL 32444

Sallie Mae 1002 Arthur Dr Lynn Haven, FL 32444

Sallie Mae 1002 Arthur Dr Lynn Haven, FL 32444

Salute Po Box 105555 Atlanta, GA 30348

St. Francis Hospital-Evanston PO BOX 220283 Chicago, IL 60622-0283

U.S. Bank Aurora Meijer 808 N. Route 59 Aurora, IL 60504-7922

University of Missouri at Columbia

Us Dept Of Education Attn: Borrowers Service Dept Po Box 5609 Greenville, TX 75403

Us Dept Of Education Attn: Borrowers Service Dept Po Box 5609 Greenville, TX 75403